

JANIS L. TURNER (Cal Bar No. 079217)  
 JANIS L TURNER ALC  
 2515 Camino Del Rio South Ste. 242B  
 San Diego CA 92108  
 (619)718-4800 (voice)  
 (619)718-4815 (fax)  
[jlt@janturnerlaw.com](mailto:jlt@janturnerlaw.com)

Attorney for Plaintiff RICHARD A. CONNORS

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

RICHARD A. CONNORS, an individual	)	Case No 08 CV 1134 L LSP
	)	
Plaintiff	)	DECLARATION OF JANIS L. TURNER
	)	IN RE SERVICE
v.	)	
	)	
HOME LOAN CORP. dba EXPANDED	)	
MORTGAGE CREDIT, a Texas Corp.	)	
MORTGAGE ELECTRONIC	)	Date: August 22, 2008
REGISTRATION SYSTEMS (MERS) a	)	Time: 10 AM
Delaware Corp., U.S. BANK NATIONAL	)	Judge: Honorable M. James Lorenz
ASSOCIATION as trustee for CREDIT	)	Dept: 14
SUISSE FIRST BOSTON HEAT-2005-2	)	
AMERICA'S SERVICING COMPANY	)	
CAL WESTERN RECONVEYANCE	)	
CORP., a California Corp.	)	
	)	
Defendants	)	

Janis L. Turner of full age upon her oath makes the within declaration under penalty of perjury in response to the the courts OSC re Sanctions concerning Service of the within matter.

- I am attorney for the Plaintiff in the above entitled matter. I make this declaration under penalty of perjury and as to facts within my own personal knowledge and as to matters to which I could competently testify were I called upon to do so.
- On July 24, 2008 Plaintiff duly filed the Initial Complaint that commenced the within action. Plaintiff named as Defendants HOME LOAN CORPORATION dba EXPANDED MORTGAGE CREDIT (HOME LOAN), MORTGAGE ELECTRONIC

1 REGISTRATION SYSTEMS ( MERS), U.S. BANK NATIONAL ASSOC as trustee for  
2 CREDIT SUISSE FIRST BOSTON HEAT-2005-2 (US BANK), AMERICA'S  
3 SERVICING COMPANY (ASC) and CAL WESTERN RECONVEYANCE CORP  
4 (CAL WESTERN).

5 3. Thereafter Plaintiffs counsel commenced serving the various entities involved herein.

6 4. HOME LOAN is a Texas Corporation. It was duly authorized to do business in California  
7 at the time is entered into a business arrangement with Plaintiff but apparently  
8 subsequently surrendered its status as a corporation authorized to do business in  
9 California. It had, however retained a registered agent for service of process as set forth in  
10 the appended and incorporated exhibit (Exhibit 1).

11 5. Thereafter all documents were duly served via Knox Attorney Service at the offices of the  
12 registered agent for service of process. In addition documents were sent via DHL for a  
13 supplemental service at the Main Corporate Offices of HOME LOAN.

14 6. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS (MERS) was duly  
15 authorized to do business in California at the time it entered into a business arrangement  
16 with Plaintiff but apparently subsequently has its status as a corporation authorized to do  
17 business in California suspended. It had, however retained a registered agent for service  
18 of process as set forth in the appended and incorporated exhibit (Exhibit 2).

19 7. Thereafter all documents were duly served via Knox Attorney Service at the offices of the  
20 registered agent for service of process. In addition documents were sent via DHL for a  
21 supplemental service at the Main Corporate Offices in Reston Virginia.

22 8. U.S. BANK NATIONAL ASSOCIATION was found to be a part of US BANCORP, a  
23 Delaware Corporation. It is at all times a Corporation licensed to do business in the State  
24 of California with its Corporate Headquarters in Minneapolis Minn. It also has a  
25 registered agent for service of process as set forth in the appended and incorporated  
26 exhibit (Exhibit 3).

- 1 9. Thereafter all documents were duly served via Knox Attorney Service at the offices of the  
2 registered agent for service of process. In addition documents were sent via DHL for a  
3 supplemental service at the Main Corporate Offices.
- 4 10. AMERICAS SERVICING COMPANY has been the most difficult entity to actually  
5 locate.
- 6 11. On July 2, 2008 I duly appeared before this Court at which time the court entered a  
7 Temporary Restraining Order as to foreclosure of the property of Plaintiff RICHARD  
8 CONNORS. At the time the court entered the TRO, it strongly recommended to me that  
9 at that time I served my notice of motion, motion, supporting papers, and the order  
10 granting the Temporary Restraining Order on all other Defendants, that in addition to  
11 serving them through a registered agent for service of process, I duly contacted them and  
12 attempted to speak with their respective attorneys.
- 13 12. On July 3, 2008, I duly commenced attempting to make contact with representatives for  
14 the various Defendants.
- 15 13. I first contacted U.S. BANK at their headquarters in Saint Paul Minnesota and spoke with  
16 representatives in their Corporate Trust Legal Department asking for their attorney  
17 contact for local counsel in California.
- 18 14. As a part of that conversation I made it clear that a TRO had been granted and that a  
19 Motion for Preliminary Injunction was set for July 15, 2008. I spoke with a paralegal  
20 who informed me that she had spoken with one of the attorneys and that I should direct  
21 copies of the documents via overnight mail to their attention. I did so and again made it  
22 clear or at least felt I made it clear that this was a matter of some urgency. Based upon  
23 that agreement I duly served the documents upon them via DHL on July 8, 2008, as set  
24 forth in the appended DHL receipt record (Exhibit 4).
- 25 15. I next contacted HOME LOAN CORPORATION at their address in Texas. I spoke with  
26 a person who would not give me their name but said she was a paralegal and directed me  
27 to send copies of the documents to their offices, based upon that conversation I duly  
28 served the documents on them via DHL on July 8, 2008 as set forth in the appended DHL

1 record (Exhibit 5). In addition, I also served the documents via Knox Attorney Service  
2 on their listed registered agent for service of process (Exhibit 6).

3 16. I next contacted MORTGAGE ELECTRONIC REGISTRATION SYSTEMS (MERS). I  
4 received no answer at their location in Sacramento and served the papers by means of  
5 DHL as well as on their registered agent for service of process. Their registered agent is  
6 located in Sacramento, California. I also served the same documents on July 8, 2008 to  
7 their corporate headquarters in Reston, Virginia as set forth in the attached DHL record  
8 (Exhibit 7).

9 17. On July 15, 2008 when I left court I once again attempted to call each of these entities to  
10 check on objections or other responses and other than an e-mail from the paralegal for US  
11 BANK NATIONAL ASSOCIATION which is appended hereto, I received no response.

12 18. CAL WESTERN duly appeared in court through its counsel, whom at the time I thought  
13 also represented ASC by virtue of a letter sent to my client. I subsequently discovered  
14 that they had only been retain to write the letter and did not represent ASC for purposes  
15 of this action.

16 19. ASC has been the most difficult Defendant to locate.

17 20. I first searched the California Secretary of States Web Site and found they were not listed  
18 as a corporate entity or Limited Liability Company authorized to do business in  
19 California.

20 21. Thereafter I looked on the internet and contacted my client for addresses. All he had or  
21 the internet had was a Post office Box in Des Moines Iowa,. I even attempted calling a  
22 "Customer Service" number for ASC but was told they could not give out a street  
23 address.

24 22. This however, led me to the Secretary of State for the State of Iowa. The Iowa Secretary  
25 of State's Web site gave me information which said that the legal name was :WELLS  
26 FARGO HOME MORTGAGE" as holding the fictitious business name of ASC (Exhibit  
27 8).

- 1 23. I returned to the California Secretary of States Web site and found that WELLS FARGO  
2 HOME MORTGAGE had been merged out but that it shared the same Corporate address  
3 as ASC in Des Moines (Exhibit 8).
- 4 24. I also found that WELLS FARGO had a Registered agent located in California (Exhibit  
5 9).
- 6 25. According to the Iowa Secretary of States Web Site they serve as a registered agent.
- 7 26. Thereafter all documents were duly served via Knox Attorney Service at the offices of the  
8 registered agent for service of process. In addition documents were sent via DHL for a  
9 supplemental service at the Main Corporate Offices of both ASC and Wells Fargo and  
10 were also serve via DHL under the Federal Courts more expansive service rules on the  
11 Iowa Secretary of State.
- 12 27. I duly caused the original Complaint, the 1<sup>st</sup> Amended Complaint, the Motion for TRO ,  
13 the Points and Authorities, and Supporting Documents, The Motion for Preliminary  
14 Injunction Points and Authorities, and Supporting Documents, and hard copies of the  
15 courts orders to be served on all Defendants as set forth above.
- 16 28. On or about July 28<sup>th</sup> I received a call from Ken Cole, Corporate Counsel for HOME  
17 LOAN. I told him about the TRO and pending Motions. He asked for an extension of  
18 time within which to respond to the complaint. I said I could grant him that but that I  
19 would prepare a joint Motion for submission to the court that essentially HOME LOAN  
20 had no interest in the preliminary injunction issues since it did not affect them one way or  
21 the other.
- 22 29. I duly prepared the Joint Motion and on July 29<sup>th</sup> and duly sent it to him via electronic  
23 mail a copy of the email and attachment are appended hereto (Exhibit10).
- 24 30. Thereafter I heard from Counsel for ASC seeking the service documents. Before I could  
25 send them to him he filed a notice with the court and sought an extension of time.
- 26 31. As of yesterday I received the attached e-mail from US BANK (Exhibit 11).
- 27 32. I have duly served all parties to this action though it has taken me longer that I would  
28 have wished.

1 33. I am still awaiting information from the California Secretary of State concerning the  
2 "merged out" status of WELLS FARGO HOME LOAN in Claifornia. Given the current  
3 budget crisis in California I suspect it will be some time before I receive an answer to my  
4 written request.

5 34. All parties, however have been served under the procedures of the Federal Rules.

6  
7 Executed under penalty of perjury this \_8th\_ Day of August 2008 at San Diego, County of San  
8 Diego, State of California under the laws of the State of California

9  
10 s/ Janis L. Turner  
11 Attorney for Plaintiff Richard A. Connors  
12 E-mail: jlt@janturnerlaw.com  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of JUN 20, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
HOME LOAN CORPORATION WHICH WILL DO BUSINESS IN CALIFORNIA AS EXPANDEDMORTGAGE CREDIT		
Number: C2124645	Date Filed: 11/2/1998	Status: surrender
Jurisdiction: TEXAS		
Address		
450 GEARS RD STE 600		
HOUSTON, TX 77067		
Agent for Service of Process		
C T CORPORATION SYSTEM		
818 WEST SEVENTH ST		
LOS ANGELES, CA 90017		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of AUG 01, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. (MERS)		
Number: C2416221	Date Filed: 5/21/2002	Status: suspended
Jurisdiction: California		
Address		
2216 16TH STREET		
SACRAMENTO, CA 95818		
Agent for Service of Process		
AL SEASTRAND		
2216 16TH STREET		
SACRAMENTO, CA 95818		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.



# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of JUN 20, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
U.S. BANCORP		
<b>Number:</b> C2061885	<b>Date Filed:</b> 11/26/1997	<b>Status:</b> active
<b>Jurisdiction:</b> DELAWARE		
Address		
800 NICOLLET MALL		
MINNEAPOLIS, MN 55402		
Agent for Service of Process		
C T CORPORATION SYSTEM		
818 WEST SEVENTH ST		
LOS ANGELES, CA 90017		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

undefined

[U.S. Bank Home](#) [Customer Service](#) [Contact Us](#) [Locations](#) [Careers](#) [About U.S. Bancorp](#)**Search****Go**

## About U.S. Bancorp

### ★ Investor/Shareholder Information

[Investor/Shareholder Information](#) > [Corporate Overview](#) > [Contact Information](#)[Contact Information](#)  
[Ownership Profile](#)

#### Related Links

[Careers at U.S. Bancorp](#)  
[Community Relations](#)  
[Corporate Governance](#)  
[Resources](#)

## Contact Information

For information regarding shareholder records, stock transfers, changes of ownership, changes of address, dividend payment and share exchange, please [click here](#) for our transfer agent and registrar contact information.

For investor information about U.S. Bancorp, please [click here](#) for request form.

The Corporate Headquarters of U.S. Bancorp are located at:

U.S. Bancorp Center  
800 Nicollet Mall  
Minneapolis, MN 55402  
651-466-3000

For Investor Relations information, please contact:

Judy Murphy  
Senior Vice President, Investor Relations  
U.S. Bancorp  
BC-MN-H23K  
800 Nicollet Mall  
Minneapolis, MN 55402  
Telephone: 612-303-0783  
Toll Free: 866-775-9668  
Fax: 612-303-0782  
Email: [judith.murphy@usbank.com](mailto:judith.murphy@usbank.com)

The information that is on or available through this site is for informational purposes only and speaks only as of the particular date or dates of that information. We do not guarantee the accuracy or completeness of information on or available through this site, and we are not responsible for inaccuracies or omissions in that information or for actions taken in reliance on that information. U.S. Bancorp does not undertake an obligation, and disclaims any duty, to update any of the information on or available through this site.

This site is supported through the use of Microsoft Internet Explorer Browser, version 6.x or higher. Use of older or other browsers may cause pages to improperly display. We regret any inconvenience that this may cause.

[Privacy Pledge](#) | © 2008 U.S. Bancorp[Site Map](#) | [Careers](#)

PLEASE TYPE OR PRINT

**FOR SHIPMENTS WITHIN U.S. ONLY**

<b>1 Sender Account Number</b> 851128924		<b>Preprint Format No.</b> 128020547	
<b>FROM (Company)</b> JANIS L TURNER A LAW CORP Street: 242 B 2515 CANINO DEL RIO S City: SAN DIEGO State: CA ZIP CODE (Required): 92108 Phone (Required): 619-718-4800			
<b>2 TO (Company)</b> PLEASE PRINT NEATLY Street Address: US Bank National Assoc City: 600 Livingston ave State: MN ZIP CODE (Required): 55107 Attention: (Name/Dept): Trust Dept Phone (Required): Description: Docs Date: 7/7/08 DHL Signature: _____ Date: _____			
<b>3 Payment</b> Sender will be billed unless marked otherwise Bill to: _____ Receiver 3rd Party: <input type="checkbox"/> Paid in Advance: <input type="checkbox"/> Check No. _____ Amount: _____ Billing Reference (will appear on invoice): <b>CONDOES</b>		<b>Origin</b> SAN <b>Waybill Number</b> 72838212646	
<b>4 Service</b> Type: _____ One box must be checked unless noted. Assume noon 10:30 am Extra charge: _____ Next Day 10:30 Next Day 12:00 Next Day 3:00 2nd Day		<b>5 # of Pkgs</b> 6 <b>Weight (LBS)</b> 2 <b>Special Instructions</b> Saturday Delivery: <input type="checkbox"/> Extra charge for all services and locations: <input type="checkbox"/> Lab Pack Service: <input type="checkbox"/> Hold at DHL: <input type="checkbox"/> Shipment Valuation: _____ Shipment Value \$ _____ Protection: _____ Payment Details (Credit Card) No. _____ Type: _____ Auth: _____ Expires: _____	



EXPRESS

DHL Express (USA), Inc.,  
 1200 South Pine Island Road,  
 Plantation, FL 33324  
 1 800 Call-DHL

ASSERT A HIGHER SHIPMENT VALUATION.  
 SHIPMENT LIABILITY IS LIMITED TO  
 \$100 PER SHIPMENT, OR ACTUAL VALUE,  
 WHICHEVER IS LESS. SPECIAL OR  
 CONSEQUENTIAL DAMAGES ARE NOT  
 COVERED. SEE REVERSE SIDE FOR  
 CONDITIONS OF SERVICE. NON-NEGOTIABLE. WAYBILL

\*Service  
 may  
 vary by  
 destination.  
 visit [www.dhl-usa.com](http://www.dhl-usa.com)



## Track results detail

[▶ Print this page](#)

### Tracking results detail for 72838212646

#### Tracking summary

Current Status ✓ **Shipment delivered.**

Delivered on 7/8/2008 10:01 am

Delivered to

Signed for by **BONNEER R**

#### Tracking history

Date and Time	Status	Location
7/8/2008 10:01 am	Shipment delivered.	Minneapolis, MN
7:54 am	With delivery courier.	Minneapolis, MN
7:04 am	Arrived at DHL facility.	Minneapolis, MN
7/7/2008 7:07 pm	Depart Facility	San Diego, CA
7:05 pm	Transit through DHL facility	San Diego, CA
5:03 pm	Processed at DHL Location.	San Diego, CA
5:03 pm	Departing origin.	San Diego, CA
4:06 pm	Shipment picked up	San Diego, CA

**Ship From:**  
JANIS L TURNER A LAW CORP  
San Diego, CA 92108  
United States

**Ship To:**  
US BANK NATIONAL ASSOC  
Saint Paul, MN 55107  
United States

**Shipment Information:**  
Ship date: 7/7/2008  
Pieces: 1  
Total weight: 2 lbs \*  
Ship Type: Package  
Shipment Reference: CONNORS  
Service: Next Day 3:00  
Special Service:  
Description:

Tracking detail provided by DHL: 7/14/2008, 10:47:54 am pt.

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

**\* Note on weight:**

The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



## Delivery Signature Detail

[▶ Print this page](#)

Signature details for 72838212646

RECEIVED IN GOOD ORDER EXCEPT AS NOTED

### Summary details

Current Status	✓ <b>Shipment Delivered</b>
Delivered on	7/8/08 10:01 am
Delivered to	Receptionist
Signed for by	<b>BONNEER</b>

### Receiver Information

Please retry later to obtain receiver information.

Tracking detail provided by DHL: 7/14/2008 10:48:11 AM

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

FOR SHIPMENTS WITHIN U.S. ONLY

PLEASE TYPE OR PRINT

1 Sender Account Number <b>85 1128924</b>		Preprint Format No. <b>128020547</b>		3 Payment Sender will be billed unless marked otherwise Bill to: Receiver 3rd Party <input type="checkbox"/> <input type="checkbox"/>		Origin <b>SAN</b>		Waybill Number <b>72838209544</b>	
FROM (Company) <b>JANIS L TURNER A LAW CORP</b> Street Address <b>2515 CAMINO DEL RIO S</b> City <b>SAN DIEGO</b> State <b>CA</b> ZIP CODE (Required) <b>92108</b>				5 # of Pkgs <b>1</b>		6 Weight (LBS) <b>2</b>		7 Packaging One box must be checked Express Envelope <input type="checkbox"/> Express Flat <input checked="" type="checkbox"/> Other Packaging <input type="checkbox"/>	
Sent by (Name/Dept) <b>RUTHIE Con</b> Phone (Required) <b>619-718-4800</b>				8 Service Type One box must be checked Assume noon unless noted 10:30 am Extra charge *Next Day 10:30 *Next Day 12:00 *Next Day 3:00 *2nd Day		9 Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge <input type="checkbox"/> Lab Pack Service <input type="checkbox"/> Hold at DHL Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$ <b>.00</b>		10 Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____	
2 TO (Company) PLEASE PRINT NEATLY <b>Home Loan Corp</b> Street Address <b>450 GEARS Road Ste 600</b> City <b>Houston</b> State <b>TX</b> ZIP CODE (Required) <b>77067</b> Attention: (Name/Dept) <b>DOCS</b>				11 Description <b>DOCS</b>		12 Sender's Signature <b>[Signature]</b> Date <b>7/7/08</b>		13 DHL Signature Date	

SENDER'S COPY

**DHL**  
EXPRESS  
DHL Express (USA), Inc.,  
1200 South Pine Island Road,  
Plantation, FL 33324  
1 800 Call-DHL



## Track results detail

► Print this page

### Tracking results detail for 72838209544

#### Tracking summary

Current Status ✓ **Shipment delivered.**  
 Delivered on 7/8/2008 9:57 am  
 Delivered to Receptionist  
 Signed for by **MCGUIRE**

#### Tracking history

Date and Time	Status	Location
7/8/2008 9:57 am	Shipment delivered.	Houston, TX
7:33 am	With delivery courier.	Houston, TX
7:21 am	Arrived at DHL facility.	Houston, TX
6:34 am	Depart Facility	Houston, TX
6:10 am	Depart Facility	Wilmington, OH
5:41 am	Transit through DHL facility	Houston, TX
3:08 am	Processed at DHL Location.	Wilmington, OH
2:43 am	In transit.	Wilmington, OH
7/7/2008 7:07 pm	Depart Facility	San Diego, CA
7:05 pm	Transit through DHL facility	San Diego, CA
5:03 pm	Processed at DHL Location.	San Diego, CA
5:03 pm	Departing origin.	San Diego, CA
4:06 pm	Shipment picked up	San Diego, CA

**Ship From:**  
 JANIS L TURNER A LAW CORP  
 San Diego, CA 92108  
 United States

**Ship To:**  
 HOME LOAN  
 Houston, TX 77067  
 United States

**Shipment Information:**  
 Ship date: 7/7/2008  
 Pieces: 1  
 Total weight: 2 lbs \*  
 Ship Type: Package  
 Shipment Reference: CONNORS  
 Service: Next Day 3:00  
 Special Service:  
 Description:

Tracking detail provided by DHL: 7/14/2008, 10:51:31 am pt.

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

**\* Note on weight:**

The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



## Delivery Signature Detail

[▶ Print this page](#)

Signature details for 72838209544



RECEIVED IN GOOD ORDER EXCEPT AS NOTED

### Summary details

Current Status	✓ Shipment Delivered
Delivered on	7/8/08 9:57 am
Delivered to	Receptionist
Signed for by	MCGUIRE

### Receiver Information

Please retry later to obtain receiver information.

Tracking detail provided by DHL: 7/14/2008 10:51:51 AM

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.



JANIS L. TURNER, ESQ.  
2515 CAMINO DEL RIO SOUTH, SUITE 242B  
SAN DIEGO CA 92108  
619-718-4800

Ref. No. : 0400713-01

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : CONNORS  
DEFENDANT : HOME LOAN CORP

Case No.: 08CV1134-L(LSP)  
**PROOF OF SERVICE**

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; AMENDED COMPLAINT; CIVIL CASE COVER SHEET; ORDER GRANTING TEMPORARY RESTRAINING ORDER [doc.#5] and ENJOINING THE SALE OF PROPERTY; TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE
3. a. Party served : HOME LOAN CORP  
AUTHORIZED AGENT FOR SERVICE: CT CORPORATION SYSTEMS  
b. Person served : MARGARET WILSON, PROCESS SPECIALIST  
(AUTHORIZED AGENT FOR SERVICE)
4. Address where the party was served 818 WEST 7TH STREET  
LOS ANGELES, CA 90017 (Business)
5. I served the party  
a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on July 8, 2008 (2) at: 09:00 AM
6. The "Notice to the person served" (on the summons) was completed as follows:  
c. on behalf of: HOME LOAN CORP  
AUTHORIZED AGENT FOR SERVICE: CT CORPORATION SYSTEMS  
under [xx] CCP 416.10 (corporation)
7. **Person who served papers**  
a. JESSICA VALENCIA  
b. KNOX ATTORNEY SERVICE, INC.  
2250 Fourth Avenue  
San Diego, California 92101  
c. 619-233-9700  
d. Fee for service: \$115.50  
e. I am:  
(3) a registered California process server  
(i) an independent contractor  
(ii) Registration No.: 152  
(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 14, 2008

Signature: \_\_\_\_\_

JESSICA VALENCIA

**PROOF OF SERVICE**

FOR SHIPMENTS WITHIN U.S. ONLY

PLEASE TYPE OR PRINT

Sender Account Number <b>851128924</b>		Preprint Format No. <b>128020547</b>		Payment Sender will be billed unless marked otherwise Bill to:		Origin <b>SAN</b>		Waybill Number <b>72838209544</b>	
FROM (Company) <b>JANIS L TURNER A LAN CORP</b>				Receiver 3rd Party <input type="checkbox"/>		Account No. (if required)		Service Type One box must be checked Assume room unless noted. 10:30 am Extra charge.	
Street <b>2315 CANTINO DEL RIO S</b>				<input type="checkbox"/> Paid In Advance		Check No.		Amount	
City <b>SAN DIEGO</b>				Billing Reference (will appear on invoice) <b>COMMONS</b>		5 of Page 6		Next Day 10:30 Next Day 12:00 Next Day 3:00 5:00 2nd Day 5:00	
State <b>CA</b>				ZIP CODE (Required) <b>92108</b>		Weight (LBS) <b>2</b>		Packaging One box must be checked <input checked="" type="checkbox"/> Express Envelope <input type="checkbox"/> Express Parcel <input type="checkbox"/> Other Packaging	
Sent by (Name/Dept) <b>ROUTINE Lon</b>				Phone (Required) <b>619-718-5808</b>		Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations. <input type="checkbox"/> Lab Pack Service		Hold at DHL	
TO (Company) PLEASE PRINT NEATLY <b>Home Loan Corp</b>				Street Address <b>450 GEARS Road Ste 600</b>		Shipment Value Protection <input type="checkbox"/> \$ <b>00</b>		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____	
City <b>Houston</b>				State <b>TX</b>		ZIP CODE (Required) <b>77067</b>		Description <b>Docs</b>	
Attention: (Name/Dept)				Phone (Required)		Sender's Signature <b>[Signature]</b>		Date <b>7/7/08</b>	
DHL Signature				Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL		SENDER'S COPY	

**DHL**  
EXPRESS

DHL Express (USA), Inc.,  
1200 South Pine Island Road,  
Plantation, FL 33324  
1 800 Call-DHL



## Track results detail

► Print this page

### Tracking results detail for 72838209544

#### Tracking summary

Current Status **✓ Shipment delivered.**  
 Delivered on 7/8/2008 9:57 am  
 Delivered to Receptionist  
 Signed for by MCGUIRE

#### Tracking history

Date and Time	Status	Location
7/8/2008 9:57 am	Shipment delivered.	Houston, TX
7:33 am	With delivery courier.	Houston, TX
7:21 am	Arrived at DHL facility.	Houston, TX
6:34 am	Depart Facility	Houston, TX
6:10 am	Depart Facility	Wilmington, OH
5:41 am	Transit through DHL facility	Houston, TX
3:08 am	Processed at DHL Location.	Wilmington, OH
2:43 am	In transit.	Wilmington, OH
7/7/2008 7:07 pm	Depart Facility	San Diego, CA
7:05 pm	Transit through DHL facility	San Diego, CA
5:03 pm	Processed at DHL Location.	San Diego, CA
5:03 pm	Departing origin.	San Diego, CA
4:06 pm	Shipment picked up	San Diego, CA

Ship From:  
 JANIS L TURNER A LAW CORP  
 San Diego, CA 92108  
 United States

Ship To:  
 HOME LOAN  
 Houston, TX 77067  
 United States

#### Shipment Information:

Ship date: 7/7/2008  
 Pieces: 1  
 Total weight: 2 lbs \*

Ship Type: Package

Shipment Reference: CONNORS

Service: Next Day 3:00

Special Service:

Description:

Tracking detail provided by DHL: 7/14/2008, 10:51:31 am pt.

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

#### \* Note on weight:

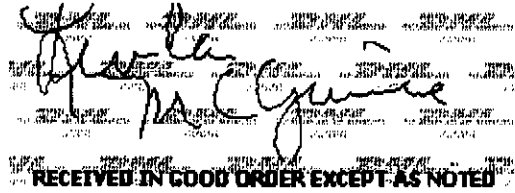
The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



## Delivery Signature Detail

[▶ Print this page](#)

Signature details for 72838209544



### Summary details

Current Status	✓ Shipment Delivered
Delivered on	7/8/08 9:57 am
Delivered to	Receptionist
Signed for by	MCGUIRE

### Receiver Information

Please retry later to obtain receiver information.

Tracking detail provided by DHL: 7/14/2008 10:51:51 AM

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

PLEASE TYPE OR PRINT

## FOR SHIPMENTS WITHIN U.S. ONLY

Sender Account Number <b>651126974</b>		Prepaid Format No. <b>128020547</b>	
FROM (Company) <b>JANIS L TURNER &amp; LAM CORP</b>			
Street <b>2515 CAMINO DEL RIO S</b>			
City <b>SAN DIEGO</b>		State <b>CA</b>	
Zip Code (Required) <b>92108</b>		Phone (Required) <b>619-710-1000</b>	
Sent by (Name/Dep) <b>RECEIVED LOR</b>			
TO (Company) PLEASE PRINT NEATLY <b>Montage Electronic Registrations</b>			
Street Address <b>1818 Liorary Street Ste 300</b>			
City <b>Reston</b>		State <b>VA</b>	
Zip Code (Required) <b>20190</b>		Phone (Required)	
Attention: (Name/Dep) <b>C/O Corporate Guest</b>			
Description <b>DOS</b>			
Sender's Signature <i>[Signature]</i>		Date <b>7/7/08</b>	
DHL Signature		Date	
SENDERS COPY			
Payment Sender will be billed unless method otherwise Bill to: <input type="checkbox"/> Paid in Advance <input type="checkbox"/> Check Amount		Origin <b>San</b>	
Receives 3rd Party <input type="checkbox"/> Billing Reference (will appear on invoice) <b>CAVORS</b>		Waybill Number <b>72638212042</b>	
Special Instructions <input type="checkbox"/> Saturday Delivery <input type="checkbox"/> Extra charge and available for all services and locations. <input type="checkbox"/> Lab Pack Service <input type="checkbox"/> Hold at DHL		Shipment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____	
Shipment Value \$ _____		Payment Method \$ _____	
Services may vary by destination. visit <a href="http://www.dhl-usa.com">www.dhl-usa.com</a>		<div> <div>10:30</div> <div>12:00</div> <div>10:30 am</div> </div> <div> <div>2nd Day</div> <div>5:00</div> </div>	

DHL Express (USA) Inc.  
1200 South Pine Road,  
Trenton, NJ 08624  
1 800 Call-DHL

JANIS L. TURNER, ESQ.(SBN 079217)  
JANIS L. TURNER, ESQ.  
2515 CAMINO DEL RIO SOUTH, SUITE 242B  
SAN DIEGO CA 92108  
619-718-4800

Attorney for : RICHARD A. CONNORS

Ref. No. : 0400712-01  
Atty. File No.: 08CV1134LLSP

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : RICHARD A. CONNORS  
DEFENDANT : HOME LOAN CORP., et al.

Case No.: 08 CV 1134 L LSP  
PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; 1st AMENDED COMPLAINT; NOTICE OF MOTION FOR ISSUANCE OF PRELIMINARY INJUNCTION; POINT AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION; DECLARATION OF RICHARD CONNORS SUPPORTING ISSUANCE OF PRELIMINARY INJUNCTION; ORDER GRANTING TEMPORARY RESTRAINING ORDER
3. a. Party served : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS (MERS) a Delaware Corp.  
b. Person served : LAURA SEASHAND  
(AUTHORIZED AGENT FOR SERVICE)
4. Address where the party was served 2216 16TH STREET  
SACRAMENTO, CA 95818 (Business)
5. I served the party  
a. by personal service. I personally delivered the documents listed in Item 2 to the party or person authorized to receive service of process for the party (1) on July 14, 2008 (2) at 11:30 AM
6. The "Notice to the person served" (on the summons) was completed as follows:  
c. on behalf of: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS (MERS) a Delaware Corp.  
under [xx] CCP 416.10 (corporation)
7. Person who served papers  
a. PATRICK HARRIS  
b. KNOX ATTORNEY SERVICE, INC.  
2250 Fourth Avenue  
San Diego, California 92101  
c. 619-233-9700  
d. Fee for service: \$115.50  
e. I am:  
(3) a registered California process server  
(I) an employee  
(II) Registration No. 152  
(III) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 14, 2008

Signature: \_\_\_\_\_

PATRICK HARRIS



## Track results detail

► Print this page

### Tracking results detail for 72838212042

#### Tracking summary

Current Status **✓ Shipment delivered.**  
Delivered on 7/8/2008 9:38 am  
Delivered to Shipping Dock  
Signed for by SARA

#### Tracking history

Date and Time	Status	Location
7/8/2008 9:38 am	Shipment delivered.	Chantilly, VA
7:29 am	With delivery courier.	Chantilly, VA
7:27 am	Arrived at DHL facility.	Chantilly, VA
6:19 am	Depart Facility	Wilmington, OH
3:03 am	Processed at DHL Location.	Wilmington, OH
2:47 am	In transit.	Wilmington, OH
7/7/2008 7:07 pm	Depart Facility	San Diego, CA
7:05 pm	Transit through DHL facility	San Diego, CA
5:03 pm	Processed at DHL Location.	San Diego, CA
5:03 pm	Departing origin.	San Diego, CA
4:06 pm	Shipment picked up	San Diego, CA

Ship From:  
JANIS L TURNER A LAW CORP  
San Diego, CA 92108  
United States

Ship To:  
MORTGAGE ELECTRONIC  
Reston, VA 20190  
United States

Shipment Information:  
Ship date: 7/7/2008  
Pieces: 1  
Total weight: 2 lbs \*  
Ship Type: Package  
Shipment Reference: CONNORS  
Service: Next Day 3:00  
Special Service:  
Description:

Tracking detail provided by DHL: 7/14/2008, 10:50:45 am pt.

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

**\* Note on weight:**

The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



## Delivery Signature Detail

► Print this page

Signature details for 72838212042

A handwritten signature in black ink, appearing to read "SARA", is written over a tracking label. The label contains the text "RECEIVED IN GOOD ORDER EXCEPT AS NOTED" in a bold, sans-serif font.

### Summary details

Current Status	✓ Shipment Delivered
Delivered on	7/8/08 9:38 am
Delivered to	Shipping Dock
Signed for by	SARA

### Receiver Information

Please retry later to obtain receiver information.

Tracking detail provided by DHL: 7/14/2008 10:50:57 AM

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.



JANIS L. TURNER, ESQ.  
2515 CAMINO DEL RIO SOUTH, SUITE 242B  
SAN DIEGO CA 92108  
619-718-4800  
Attorney for : RICHARD A. CONNORS

Ref. No. : 0400715-03  
Atty. File No.: 08CV1134LLSP

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : RICHARD A. CONNORS  
DEFENDANT : HOME LOAN CORP., et al.

Case No.: 08 CV 1134 L LSP  
**PROOF OF SERVICE**

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET;  
NOTICE OF EMERGENT HEARING FOR ISSUANCE OF TEMPORARY RESTRAINING  
ORDER
3. a. Party served : MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.  
AUTHORIZED AGENT FOR SERVICE: AL SEASTRAND  
b. Person served : AL SEASTRAND, (AUTHORIZED AGENT FOR SERVICE)
4. Address where the party was served 2216 16TH STREET  
SACRAMENTO, CA 95818 (Business)
5. I served the party  
a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to  
receive service of process for the party (1) on June 27, 2008 (2) at: 02:05 PM
6. The "Notice to the person served" (on the summons) was completed as follows:  
c. on behalf of: MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.  
AUTHORIZED AGENT FOR SERVICE: AL SEASTRAND  
under [xx] CCP 416.10 (corporation)
7. **Person who served papers**  
a. JOHN D. HOUSTON  
b. KNOX ATTORNEY SERVICE, INC.  
2250 Fourth Avenue  
San Diego, California 92101  
c. 619-233-9700  
d. Fee for service: \$115.50  
e. I am:  
(3) a registered California process server  
(i) an employee  
(ii) Registration No. 152  
(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 30, 2008

Signature: \_\_\_\_\_

JOHN D. HOUSTON

Site Map | Contact Us

GO

## Michael A. Mauro

Business Services

Home → Search Databases → Iowa Corporations → Summary

Search Databases

### Search Databases

Online Filing

[Addresses](#) [Agents](#) [Filings](#) [Names](#) [Officers](#) [Stock](#) [Summary](#) [Search Again](#)

Volunteer Records

### Summary

Searched: **America's Servicing Company**

Records

Register By

[Print Certificate of Standing](#)

Local Civil Events

Annual Meetings

Corp No.	Legal Name	Status
<b>154254</b>	<b>WELLS FARGO HOME MORTGAGE, INC.</b>	<b>Inactive</b>
Type	State of Inc.	Modified
<b>Legal</b>	<b>CA</b>	<b>No</b>
Expiration Date	Effective Date	Filing Date
<b>PERPETUAL</b>	<b>Nov 22, 1991</b>	<b>Nov 22, 1991</b>
Chapter		
<b>CODE 490 FOREIGN PROFIT</b>		

Outstanding

Unpaid Franchise

Market Links

Information

### Names (viewing 3 of 6)

Type	Status	Modified	Name
Fictitious name	Active	No	AMERICA'S MORTGAGE COMPANY
Fictitious name	Active	No	AMERICA'S SERVICING COMPANY
Legal	Active	No	WELLS FARGO HOME MORTGAGE, INC.

### Registered Agent or Reserving Party

Full Name **IOWA SECRETARY OF STATE**  
Address **LUCAS STATE OFFICE BLDG**  
City, ST, Zip **DES MOINES, IA, 50319**

### Home Office

Full Name  
Address **1 HOME CAMPUS**  
City, ST, Zip **DES MOINES, IA, 50328001**

[Home](#) | [State of Iowa](#) | [Site Map](#) | [Contact Us](#)

# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of JUL 18, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
WELLS FARGO HOME MORTGAGE, INC.		
<b>Number:</b> C0479222	<b>Date Filed:</b> 10/13/1964	<b>Status:</b> merged out
<b>Jurisdiction:</b> California		
Address		
1 HOME CAMPUS MAC X2401-049		
DES MOINES, IA 50328		
Agent for Service of Process		
CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE		
2730 GATEWAY OAKS DR STE 100		
SACRAMENTO, CA 95833		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

JANIS L. TURNER, ESQ. (SBN 079217)  
JANIS L. TURNER, ESQ.  
2515 CAMINO DEL RIO SOUTH, SUITE 242B  
SAN DIEGO CA 92108  
619-718-4800  
Attorney for : RICHARD A. CONNORS

Ref. No. : 0400710-01  
Atty. File No.: 08 CV 1134 L LSP

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : RICHARD A. CONNORS  
DEFENDANT : HOME LOAN CORP. dba EXPANDED et. al.

Case No.: 08 CV 1134 L LSP  
**PROOF OF SERVICE**

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; NOTICE OF MOTION FOR ISSUANCE OF TEMPORARY RESTRAINING ORDER; NOTICE OF EMERGENT HEARING FOR ISSUANCE OF TEMPORARY RESTRAINING ORDER; 1ST AMENDED COMPLAINT; DECLARATION OF PLAINTIFF RICHARD CONNORS SUPPORTING TEMPORARY RESTRAINING ORDER; POINTS & AUTHORITIES; CERTIFICATE OF JANIS L. TURNER; ORDER GRANTING; SUPPLEMENTAL
3. a. Party served : AMERICA'S SERVICING COMPANY  
AUTHORIZED AGENT FOR SERVICE: CSC-LAWYERS INCORPORATING  
b. Person served : BECKY DEGEORGE, AGENT FOR SERVICE  
(AUTHORIZED AGENT FOR SERVICE)
4. Address where the party was served 2730 GATEWAY OAKS DRIVE  
SACRAMENTO, CA 95833 (Business)
5. I served the party  
a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on July 24, 2008 (2) at: 01:30 PM
6. The "Notice to the person served" (on the summons) was completed as follows:  
c. on behalf of: AMERICA'S SERVICING COMPANY  
AUTHORIZED AGENT FOR SERVICE: CSC-LAWYERS INCORPORATING  
under [xx] CCP 415.95 (business org., form unknown)
7. **Person who served papers**  
a. JOHN D. HOUSTON  
b. KNOX ATTORNEY SERVICE, INC.  
2250 Fourth Avenue  
San Diego, California 92101  
c. 619-233-9700  
d. Fee for service: \$115.50  
e. I am:  
(3) a registered California process server  
(i) an employee  
(ii) Registration No. 152  
(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 4, 2008

Signature: \_\_\_\_\_

JOHN D. HOUSTON

**Jan Turner**

---

**From:** Jan Turner [jlt@janturnerlaw.com]  
**Sent:** Tuesday, July 29, 2008 3:37 PM  
**To:** 'kcole@homeloancorp.com'  
**Subject:** COnnors v, Home Loan COrp. et al  
**Attachments:** Order re Non opp.pdf; Joint Motion re non opposition.pdf

Dear Mr. Cole

Enclosed please find a draft of a joint motion with regard to no opposition to the Preliminary injunction and a copy of the proposed order.

Since I suspect your e-signature is as yet not accepted by the USDC of the Dist of So Cal I would appreciate it if you could simply fax me back the signature page and then mail me the original since our local court rules require I keep it for a period of 1 year,

The order is the one I will send to the Judge for signature

Obviously if you have changes you need made please let me know.

Janis L. Turner

**Jan Turner**

---

**From:** Jan Turner [jlt@janturnerlaw.com]  
**Sent:** Monday, July 28, 2008 3:29 PM  
**To:** 'Ken Cole'  
**Subject:** RE: Case #08-DV-1134; Connors v. Home Loan Corp.

Dear Mr. Cole

This will confirm my agreement to the extension of time within which to respond to the complaint.

I will be sending you the appropriate stipulation concerning the Preliminary injunction shortly.

Janis L. Turner

---

**From:** Ken Cole [mailto:kcole@homeloancorp.com]  
**Sent:** Friday, July 25, 2008 8:46 AM  
**To:** jlt@janturnerlaw.com  
**Subject:** Case #08-DV-1134; Connors v. Home Loan Corp.

Ms. Turner,

As discussed, I wanted to send you correspondence confirming our agreement to extend Home Loan's answer deadline in the above referenced case. I assume a stipulation needs to be filed with the court. Is a two week extension acceptable (making the answer deadline August 11<sup>th</sup>)? Thank you for your courtesy.

Kenneth R. Cole  
General Counsel  
Home Loan Corporation  
450 Gears Road, Suite 600  
Houston, Texas 77067  
(281) 453-0300 Phone  
(281) 453-0387 Direct  
(281) 453-0380 Fax  
[kcole@homeloancorp.com](mailto:kcole@homeloancorp.com)

JANIS L. TURNER (Cal Bar No. 079217)  
 JANIS L TURNER ALC  
 2515 Camino Del Rio South Ste. 242B  
 San Diego CA 92108  
 (619)718-4800 (voice)  
 (619)718-4815 (fax)  
[ilt@janturnerlaw.com](mailto:ilt@janturnerlaw.com)

Attorney for Plaintiff RICHARD A. CONNORS

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

RICHARD A. CONNORS, an individual

Plaintiff

vs.

HOME LOAN CORP. dba EXPANDED  
 MORTGAGE CREDIT, a Texas Corp.  
 MORTGAGE ELECTRONIC  
 REGISTRATION SYSTEMS (MERS) a  
 Delaware Corp., U.S. BANK NATIONAL  
 ASSOCIATION as trustee for CREDIT  
 SUISSE FIRST BOSTON HEAT-2005-2  
 AMERICA'S SERVICING COMPANY  
 CAL WESTERN RECONVEYANCE  
 CORP., a California Corp.

Defendants

Case No 08 CV 1134 L LSP

RICHARD A. CONNORS AND  
 HOME LOAN CORPORATION'S  
 JOINT MOTION RE NON-  
 OPPOSITION TO PRELIMINARY  
 INJUNCTION

Complaint filed: 6/24/2008  
 Judge: Honorable M. James Lorenz  
 Dept: 14

Trial date: None Set

Plaintiff RICHARD A. CONNORS (Plaintiff) and Defendant HOME LOAN  
 CORPORATION ( HOME LOAN), by and through their respective counsel, respectfully submit  
 this Joint Motion of the non-opposition entry of a preliminary injunction by Defendant HOME  
 LOAN.

**STATEMENT OF FACTS**

1. Plaintiff filed its first amended complaint all on or about July 3, 2008 alleging  
 violations of 15 USC §1611 at set, 26 USC §2605 et seq., 15 USC §1602 at seq,  
 California Civil Code §1788, Breach of Fiduciary Duty, Breach of Covenant,

1 Quiet Title, and seeking Declaratory and injunctive relief in connection with  
2 certain real property located at 402 Paso del Norte, Escondido, CA 92026 and  
3 identified by Assessors Parcel Number 187 – 500 – 21 (hereinafter Subject  
4 Property)

5 2. Plaintiff asserts that the true identity of the holder of the indebtedness secured by  
6 the deed of trust encumbering Subject Property is unknown and that his attempts  
7 to identify the property and or the parties have not been fulfilled.

8 3. For purposes of the preliminary injunction only, HOME LOAN's only interest is  
9 as an originator of the debt and that it has no interest in or will not be affected by  
10 the Preliminary Injunction sought here.

#### 11 **JOINT MOTION**

12 4. Plaintiff acknowledges that for purposes of the Preliminary Injunction Defendant  
13 HOME LOAN is not involved in the foreclosure process.

14 5. Plaintiff further acknowledges that for purposes of the Preliminary Injunction  
15 Defendant HOME LOAN is not involved with the subject property.

16 6. HOME LOAN therefore agrees to be bound by and have no objection to any  
17 Preliminary Injunction issued with regard to this matter and further of firms, that  
18 it has a duly received and reviewed the service of all documents relating to said  
19 request for Preliminary Injunction.

20 7. Therefore Plaintiff and Defendant HOME LOAN agree and request that this Court  
21 issue an order consistent with the terms of this joint motion indicating that  
22 Defendant HOME LOAN has no objection and will be filing no response to  
23 Plaintiffs request for issuance of a Preliminary Injunction with regard to the  
24 within matter.

25 8. Plaintiff and this Defendant further affirm that Plaintiff has granted to this  
26 Defendant an extension to and through August 11, 2008 within which to file its  
27 response.





**Jan Turner**

---

**From:** jocelyn.jerin@usbank.com  
**Sent:** Thursday, August 07, 2008 6:24 AM  
**To:** jlt@janturnerlaw.com  
**Subject:** 402 Paseo del Norte, Escondito, CA 92026

Hi Jan,

I apologize for the delay in getting you this information. Here is the name and contact information of the attorney representing U.S. Bank regarding the property referenced. If you need anything further, please let me know.

Edward D. Vogel  
Sheppard Mullin  
619.338.6529  
501 West Broadway  
19th Floor  
San Diego, CA 92101

Thanks.

Jocelyn Jerin  
Paralegal  
Corporate Trust Legal  
U.S. Bank National Association  
EP-MN-WS4L  
West Side Flats  
60 Livingston Avenue  
St. Paul, MN 55107  
651-495-4123 direct  
651-495-8188 fax  
[jocelyn.jerin@usbank.com](mailto:jocelyn.jerin@usbank.com)

U.S. BANCORP made the following annotations

-----  
Electronic Privacy Notice. This e-mail, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.  
-----

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that on August 8, 2008 the Declaration of Service of Counsel for Plaintiff RICHARD CONNORS with exhibits, re Service all pleadings and most particularly Documents Concerning TRO and Preliminary injunction was filed electronically with the clerk of the court using the CM/ECF system which will automatically send e-mail notice of filing to the following counsel of record. Counsel additionally served a chambers copy of the within document on the Hon M. James Lorenz via Knox Attorney Service.

Additionally Defendants who have not yet appeared they were served with the within documents via US Mail. Either directly or to their registered agents for service of process as set forth in the appended and incorporated mailing list

Dated: August 8, 2008

s/ Janis L. Turner

Attorney for Plaintiff Richard A. Connors

E-mail: [jlt@janturnerlaw.com](mailto:jlt@janturnerlaw.com)

Electronic Service

Thomas Abbott

[tabbott@piteduncan.com](mailto:tabbott@piteduncan.com)

Counsel for Defendant CAL WESTERN RECONVEYANCE

Edward D. Vogel

[evogel@shepparmullin.com](mailto:evogel@shepparmullin.com)

Counsel for Defendant AMERICA'S SERVICING COMPANY

Counsel designated by US BANK

MAILING LIST

Additionally Defendants were served as follows:

Via US Mail:

Ken R. Cole  
General Counsel  
Home Loan Corp  
450 Gears Rd Ste 600  
Houston TX 77067

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS  
C/O Registered Agent  
2216 16<sup>th</sup> St  
Sacramento CA 95818

US BANK NATIONAL ASSOC, as Trustee  
Trust Legal Department  
60 Livingston Ave  
St Paul MN 55107

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS  
C/O Corporate Counsel  
MERS  
1818 Library Street Ste 300  
Reston VA 20190